

Housing Authority of the City of Greenville

Personnel Policies

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**HOUSING AUTHORITY OF THE CITY OF GREENVILLE, NC
(KNOWN AS HACG)**

PERSONNEL POLICY

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**HOUSING AUTHORITY OF THE CITY OF GREENVILLE, NC
(KNOWN AS HACG)**

PERSONNEL POLICY

SECTION I. BASIC PRINCIPLES

- A. **Purpose:** The purpose of this personnel policy is to establish a system of personnel administration which shall provide a means to recruit, select, develop, and maintain an effective and responsible work force.
- B. **Nature of Employment:** Employment with HACG is voluntarily entered into and the employee is free to resign at will at any time, with or without cause. Similarly, HACG may terminate the employment relationship at will at any time, with or without notice or cause, so long as there is no violation of applicable federal or state law. This personnel policy is not an employment contract and does not change the at-will employment status of HACG employees.

This at-will acknowledgement does not, and is not intended to, interfere with, limit, or relinquish an employee's right to join with others to work towards changing the at-will employment status or the terms and conditions of his or her employment.

- C. **Responsibility:** The Executive Director shall have the basic responsibility for personnel management and administration of the personnel policy. Authority to hire, promote, transfer, demote, and separate personnel shall be vested in the Executive Director, except that such action shall be vested in the Board of Commissioners insofar as they pertain to the Executive Director. The responsibility for approving the personnel policy is vested in the Board of Commissioners. The Executive Director is responsible for the preparation and presentation of policy changes to the Board of Commissioners for their review and approval.
- D. **Merit Principle:** The employment of personnel and all actions affecting employees shall be based on training, ability, experience, and other characteristics which best suit an individual to the job to be performed.
- E. **Equal Employment Opportunity:** In order to provide equal employment and advancement opportunities to all individuals, employment decisions at HACG will be based on merit, qualifications, and abilities. There shall be no discrimination against employees or applicants for employment or advancement on the basis of race, color, creed, sex, age, religion, marital status, veteran or other military status, disability, or national origin. In addition, personnel with disabilities shall be given equal consideration with other employees and applicants, provided they can perform the essential functions of the job, with or without reasonable accommodation. This policy applies to all areas of employment.

- F. **Employees Subject to Policies:** The provisions of these regulations shall be applicable to all employees of the HACG, except as exempted by the Board of Commissioners.
- G. **Appointment of Tenants as Commissioners:** No person shall be barred from serving on the Board of Commissioners because of his/her tenancy in a public housing community.
- H. **Board Member Compensation:** Allowable costs shall not include compensation for the services of members of the Board of Commissioners unless required under state law and approved by HUD.
- I. **Violations of These Policies:** Any employee violating any of the provisions of these regulations shall be subject to suspension and/or dismissal in addition to any penalty which may be imposed for the violation of the same.
- J. **Immigration Law Compliance:** HACG is committed to employing only United States citizens and aliens who are authorized to work in the United States and does not unlawfully discriminate on the basis of citizenship or national origin. In compliance with the Immigration Reform and Control Act of 1986, each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 and present documentation establishing identity and employment eligibility. Former employees who are rehired must also complete the form if they have not completed an I-9 with HACG within the past three years, or if their previous I-9 is no longer retained or valid.
- K. **Disability Accommodation:** HACG is committed to complying fully with the Americans with Disabilities Act (ADA) and ensuring equal opportunity in employment for qualified persons with disabilities. All employment practices and activities are conducted on a non-discriminatory basis. Hiring procedures have been reviewed and provide persons with disabilities meaningful employment opportunities.

SECTION II. RECRUITMENT AND EMPLOYMENT

- A. **Eligibility:** Individuals shall be recruited from the geographic area as wide as is necessary to assure obtaining well qualified candidates for the various types of positions. Employment, therefore, shall not necessarily be limited to residents of Greenville. However, in cases where residents and non-residents are equally qualified for particular vacant positions, the resident may receive first consideration in filling such vacancies.
- B. **Job Posting:** HACG provides employees an opportunity to indicate their interest in open positions and advance within the organization according to their skills and experience. In general, notices of all job openings are posted, although HACG reserves its discretionary right to not post a particular opening. Job openings will be posted on the employee bulletin boards. Job openings may also be advertised in the local paper once a week for two (2) weeks with the deadline for filing

applications one (1) week after the second publication. Each job posting notice will include the dates of the posting period, job title, job summary and qualifications (required skills and abilities). To be eligible to apply for a posted job, employees must have performed competently for at least 90 calendar days in their current position. Employees who are on suspension are not eligible to apply for posted jobs. Eligible employees can only apply for those posted jobs for which they possess the required skills, competencies and qualifications. Where practical, the first opportunities for vacant positions will be given to employees within the organization.

- C. **Position Description:** The duties and responsibilities of every position shall be set forth in writing at the time that the position is created. The Executive Director shall determine and classify the necessary number of positions and employees, the type and nature of work to be performed in such positions and by employees, and shall fix, establish and classify a standard of salaries and wages with a minimum salary rate or rates as may be deemed necessary and equitable to be paid for all such services and positions as established by the Pay Plan approved by the Board on an annual basis. Every employee shall be given the authority necessary to perform his/her assigned duties and shall be entitled to a copy of his/her position description.
- D. **Qualification Standards:** Employees shall meet the employment standards established by the position description and such other reasonable minimum standards as to character, aptitude, ability to meet the public and ability to perform the physical requirements of the position as may be established.
- E. **Drug Free Workplace:** See Substance Abuse Policy in Section XX.
- F. **Employment Applications:** HACG relies upon the accuracy of information contained in the employment application, as well as the accuracy of other data presented throughout the hiring process and employment. Any misrepresentations, falsifications, or material omissions in any of this information or data may result in the exclusion of the individual from further consideration for employment or, if the person has been hired, termination of employment.
- G. **Nepotism and Employment of Relatives:** Members of an immediate family shall not be employed at the same time if such employment would result in:
 - 1. An employee directly or indirectly supervising a member of the immediate family;
 - 2. An employee occupying a position which has influence over the family member's employment, promotion, or salary administration;
 - 3. Operational conflicts within the division or department; or
 - 4. Any adverse management or personnel considerations.

If, through change in family status, position assignment, job classification, or other personnel action, a working relationship is affected, one or more family members shall be reassigned to another position within a reasonable period of time if reassignment is feasible. Should reassignment not be feasible, the affected employee(s) shall be given the option of resignation or, in the event this option is not accepted, the affected employee(s) will be dismissed with notice.

Immediate family is defined for the purpose of this Section as spouse, mother, father, guardian, children, sister, brother, grandparents, grandchildren, aunt, and uncle plus various combinations of half, step, in-law, and adopted relationships that can be derived from these named.

H. **Non-Fraternization Policy:** To avoid conflicts of interest, misunderstandings, or appearance of favoritism or impropriety, and to protect our employees and our residents from unlawful sexual harassment, the Board of Commissioners of the HACG has adopted the followings policy:

1. Dating, romantic involvement, physical intimacy, or close family relationships between employees and residents is strictly prohibited.
2. Dating, romantic involvement, physical intimacy, or close family relationships between employees is prohibited where one of the parties is in a direct or indirect supervisory relationship to the other.
3. Employees, who are involved in a relationship restricted and/or prohibited by this policy, will be subject to disciplinary action, up to and including discharge.
4. Where a conflict or potential for conflict arises because of a close personal relationship between employees, where there is no line of authority or reporting involved, the employees may be separated by reassignment or terminated from employment. If such personal relationship is established after employment, it is the responsibility and obligation of the employees involved to disclose the existence of the relationship to the Executive Director.

I. **Background Checks:** Criminal records and driving records for evaluating eligibility for the purposes of making employment decisions will be obtained.

J. **Probationary Period:** All employees hired or promoted to regular positions shall serve a probationary period of six months. At no time does the term “probation and or probationary” as mentioned throughout this policy create or imply a contractual or indefinite period of employment, reference Section 1 paragraph B, Nature of Employment. An employee may be dismissed during the probationary period at any time the supervisor and/or department head feels the employee is not satisfactorily performing the assigned duties or meeting required standards of conduct. Employees are “at-will” both during and after the probationary period and may be dismissed with or without cause and with or

without notice. A probationary employee dismissed may request a hearing with the Executive Director.

An employee serving a probationary period following initial employment in a regular position shall receive all benefits in accordance with this policy, with the following exceptions or as otherwise provided:

1. An employee may accumulate vacation leave but shall not be permitted to take vacation leave during the probationary period unless the denial of such leave will create an unusual hardship. Use of vacation leave during the probationary period may be granted to such employee only with the approval of the Executive Director.
2. An employee terminating employment with the HACG during the probationary period will **NOT** be eligible for terminal pay of accumulated leave. This applies to both resignations and involuntary terminations.

Employees serving a probationary period following a promotion shall continue to receive all benefits provided in accordance with these Policies and under supplementary rules and regulations.

K. **Evaluation of Probationary Period:** Formal performance evaluations are conducted at the end of an employee's probationary period in any new position. The probationary period allows the supervisor and the employee to discuss the job responsibilities, standards and performance requirements of the new position. During and upon completion of the probationary period, the immediate supervisor shall indicate in writing to the Executive Director:

1. That the employee's progress has been discussed (accomplishments, strengths and weaknesses) with the employee;
2. Whether the employee is performing satisfactory work;
3. Whether the probationary period should be extended and
4. Whether the employee should be retained in the present position or should be dismissed, transferred or demoted.

L. **Performance Evaluation:** Supervisors and employees are strongly encouraged to discuss job performance and goals on an informal, day-to-day basis. Additional annual performance evaluations are conducted to provide both supervisors and employees the opportunity to discuss job tasks, identify and correct weaknesses, encourage and recognize strengths and discuss positive, purposeful approaches for meeting goals.

M. **Personnel Data Changes:** It is the responsibility of each employee to promptly notify HACG of any changes in personnel data. Personal mailing addresses, telephone numbers, number and names of dependents, individuals to be contacted

in the event of emergency, educational accomplishments and other such status reports should be accurate and current at all times. If any personnel data has changed, notify the Accounting Department.

- N. **Political Activity Restricted:** Each employee has a civic responsibility to support good government. Each employee may join or affiliate with civic organizations of a partisan or political nature, may attend political meetings, may advocate and support the principles or the policies of civic or political organizations in accordance with the constitution and laws of the State of North Carolina and the United States of America. However, under the Hatch Act, no employee shall:
1. Engage in any political or partisan activity while on duty;
 2. Be required as a duty of employment or as a condition of employment, promotion, or tenure of office to contribute funds for political or partisan purposes;
 3. Coerce or compel contributions for political or partisan purposes by any other HACG employee;
 4. Use any supplies or equipment of the HACG for political or partisan purposes; or
 5. Be a candidate for political office in a partisan election.

SECTION III. CONDITIONS OF EMPLOYMENT

- A. **Acceptance of Gifts and Favors:** No official or employee of the HACG shall accept any gift (whether in the form of service, loan, item of value, money or promise) from any person who to the employee's knowledge is interested directly or indirectly in any manner whatsoever in business dealings with the HACG. Furthermore, no official or employee shall grant in the discharge of duties any improper favor, service or item of value.
- B. **Outside Employment:** The work of the HACG shall have precedence over the other occupational interests of employees. All outside employment of full-time employees for salaries, wages or commission and all self-employment must be reported to and approved by the Executive Director. Outside employment which is in conflict with the HACG's public purpose or which interferes with job performance with the HACG may be grounds for disciplinary action, up to and including dismissal. HACG personnel, facilities, equipment, and supplies may not be used in support of any employee's outside employment.
- C. **Retirement Systems:** Each regular full-time employee, regular part-time employee, and certain grant-funded employees working at least 20 hours per week or a minimum of 1000 hours per year, shall be required to join the North Carolina

Local Governmental Employees' Retirement System as a condition of employment.

- D. **Smoking Policy:** It is HACG's policy to limit workplace exposure to secondary smoke for those employees and citizens who choose not to smoke tobacco products. Therefore, smoking will be restricted to designated areas. Smoking in individual offices and HACG vehicles is prohibited.
- E. **Chemicals:** Material Safety Data Sheets (MSDS) are available for employee inspection. Any employee may request the identity of any chemical with which they work or which is stored on the premises by contacting their supervisor. No employee shall be discharged or discriminated against because such employee has refused to work with an unidentified chemical. Temporary reassignment of an employee to a comparable job at equal pay that does not involve exposure to the unidentified chemical shall not be considered discrimination for the purposes of this provision.

SECTION IV. EMPLOYMENT CATEGORIES

Each employee is designated as either NON-EXEMPT or EXEMPT from federal and state wage and hour laws. NON-EXEMPT employees are entitled to minimum wage and overtime pay under the specific provisions of federal and state laws. EXEMPT employees are excluded from minimum wage and overtime requirements. An employee's EXEMPT or NON-EXEMPT classification may be changed only upon written notification by HACG management. In addition to the above categories, the following positions are considered necessary to carry out the normal operating functions of HACG and shall be classified as Regular full-time, Regular part-time, Temporary, Grant-funded, and designated Critical Service Area Employees.

- A. **Regular Full-Time:** Employees are those who are not in a temporary status and who are regularly scheduled to work HACG's full-time schedule of 35 or more hours per week. Generally, they are eligible for HACG's benefit package, subject to the terms, conditions and limitations of each benefit program.
- B. **Regular Part-Time:** Employees are those who are not in a temporary status and who are regularly scheduled to work less than 35 hours. Generally, they are not eligible for HACG's benefit package, except as otherwise provided under the terms of each benefit program. However, regular part-time employees may be required to participate in the North Carolina Local Government Employee's Retirement System and may also be allowed to participate in the NC 401(k) plan, subject to the terms, conditions and limitations of each program.
- C. **Temporary Positions:** Temporary employees may be hired with the approval of the Executive Director for specific assignments of a definite duration. The rate of pay shall be the average rate for similar positions for this area unless stipulated otherwise under the terms of a federal or state grant contract. Such non-regular employees are generally not eligible for benefits granted to regular full-time or

regular part-time employees, except as otherwise provided under the terms of each benefit program.

Temporary employees shall be released from their association with the HACG at the completion of their assignments or when funding for the positions is exhausted. If the temporary employee is transferred to the permanent payroll, all benefits of a regular full-time, part-time, or grant-funded employee (as appropriate) will begin to accrue to the employee after acceptance of regular employment and will not be retroactive to the date of temporary employment except as otherwise provided under the terms of the benefit program.

- D. **Grant-Funded (Full/Part-Time or Temporary):** Employees who may be in either a grant-funded full-time, part-time, or temporary position. These positions are pre-determined prior to the hiring process based on the individual grant and funding of that position. The benefits for which a grant-funded employee is eligible will be specified in writing prior to the employee's date of hire, and will depend on the level of grant funding, the duration of the grant, and the number of hours the employee is anticipated to work. Generally, a grant-funded employee's eligibility for HACG's benefit package will be the same as any regular full-time or regular part-time or temporary employee so long as the funding of the grant supports such benefits; and such treatment is in accordance with HACG's policy on benefits for grant-funded employees and with any local, State, and Federal requirements. However, grant-funded regular part-time employees may be required to participate in the North Carolina Local Government Employees' Retirement System and may also be allowed to participate in the NC 401(k) Plan. For more detailed information on the benefits for which grant-funded employees are eligible, contact your supervisor. If a grant funded employee's eligibility for benefits changes after his or her date of hire, the employee will be notified of such change in writing.
- E. **Critical Service Area Employees:** Certain employees, who hold positions essential to HACG's continued operations in weather or emergency situations, will be designated by supervisors as Critical Service Area (CSA) employees. CSA employees are expected to work regardless of conditions without special compensation (other than what would normally be paid, e.g., overtime or comp time for hours worked in excess of 40 hours for one week for eligible employees). If necessary, HACG will provide transportation.

SECTION V. COMPENSATION

- A. **General:** Appropriate compensation rates shall be determined on the basis of prevailing pertinent local "public practice" for positions of comparable scope and responsibility. "Public practice" shall consist primarily of the related salaries and fringe benefits of the City of Greenville. Such compensation shall be set forth in a Pay Plan approved by the Board ("Pay Plan").

- B. **Pay Plan:** The Pay Plan consists of a schedule showing established minimum and maximum pay ranges and the titles of classes of positions which are to be compensated within each pay range.
- C. **Pay Periods:** All employees shall be paid on a bi-weekly pay period.
- D. **Pay within the Range:** All employees covered by the Pay Plan shall be paid at a rate within the pay ranges established for their respective position classifications except employees in a "trainee" status, or employees whose present salaries are above the established maximum rate following transition to a new Pay Plan.
- E. **Use of Pay Ranges:** Pay ranges are intended to furnish administrative flexibility in recognizing individual differences among positions allocated to the same class, in providing employee incentive and in rewarding employees for meritorious service. Employees are not guaranteed pay increases. The following provisions shall govern the granting of within-the-range increases:
1. The minimum rate established for the class is the normal hiring rate, except in those cases where unusual circumstances appear to warrant employment at a higher rate. Employment above the minimum pay range may be made on the recommendation of the department head and when the Executive Director determines that it is necessary in the best interest of the HACG. Approval will be based on the qualifications of the applicant being in excess of the requirements for the class, a shortage of qualified applicants available at the minimum pay range, and qualified applicants declining employment at a minimum pay range.
 2. Upon completion of six months of service at the hiring rate, the employee's progress shall be reviewed by the supervisor. Based upon the supervisor's and/or department head's recommendation and with the approval of the Executive Director, the employee's salary may be increased by an amount to be determined by the Executive Director.
 3. The remaining pay range is to be used to reward employees for meritorious service.
- F. **Entrance at the Minimum:** Each new and promoted employee, who meets the minimum requirements for the classification in which employed, shall be appointed to the minimum of the pay range to which that classification is allocated except:
1. If the new employee does not meet the minimum requirements of the position and qualified applicants for the position are not available, the Executive Director may designate the employee as a "trainee" to be appointed at a salary below the minimum; or
 2. When the Executive Director shall determine that there has been a demonstrated inability to recruit at the minimum salary or that an

applicant possesses exceptional qualifications, the Executive Director may authorize the employment of an applicant at a higher rate than the minimum in the pay range.

- G. **Merit Raises:** A raise above the minimum pay range established for each class of positions shall be granted only in recognition of improved performance which merits a pay increase.

Employees are eligible for merit increases in their base pay, provided their current pay rate is within and not at the maximum of the pay range to which the class has been assigned. Under extreme budget constraints, merit increases may be in the form of a lump sum amount and not added to the base pay. Employees at the top of their pay range may also receive a merit increase, but the increase will be in the form of a lump sum payment and will not be added to the base pay. Merit raises shall be based upon the employee's annual performance evaluation and the recommendations of the immediate supervisor or department head. Primary emphasis in evaluation and recommendation will be placed on improved performance and productivity since the last evaluation, with attention to the relevant factors of performance. Salary adjustments shall be effective only upon the recommendation of the supervising department head and with the approval of the Executive Director. Employees are not guaranteed merit raises regardless of job performance or supervisor recommendations.

- H. **Pay of Promoted Employee:** An employee who successfully completes the six-month probationary period following promotion may be eligible for a pay increase. In no event shall the initial or probationary promotion increase exceed the maximum pay of the pay range. An employee promoted to a position in a class having a higher pay range shall receive a percentage of his/her salary greater than his/her current salary or the minimum salary of the new pay range, whichever is higher, to be determined by the Executive Director. An employee hired/promoted to a position in the same classification should reference Section V paragraph F. If an employee fails to complete successfully his/her probationary period following promotion, he/she may be reinstated in the former position if available or in a position in the same class at the former salary.
- I. **Pay of Demoted Employee:** The salary of an employee demoted to a position in a class with a lower pay range shall be adjusted to the maximum of the new pay range or the former salary, whichever is lower.
- J. **Pay for Temporary Employees:** The pay established by this policy is for regular full-time and regular part-time employees. A temporary employee shall be paid at a rate recommended by the Executive Director in accordance with local, State and Federal law.
- K. **Maintenance Employee Salary:** Salaries for Maintenance Employees are established by a survey of the Labor Branch of the Department of Housing and Urban Development, and no automatic annual increases in salaries are granted.

L. **Compliance with the Fair Labor Standards Act (FLSA):**

1. It is the policy of the HACG to comply with all provisions of the Fair Labor Standards Act which apply to public housing authorities. The determination of “hours worked” in any given work week or pay period shall be in accordance with provisions of the Fair Labor Standards Act, except as otherwise provided in the HACG Personnel Policies, or as provided by Administrative Directive of the Executive Director, provided that the minimum requirements of the Fair Labor Standards Act shall in all cases be met.
2. The Executive Director is authorized and directed to establish policies, rules and regulations defining work periods, pay periods, naming exempt, non-exempt positions, establishing rules for determining “hours worked,” establishing a “time off” plan and compensatory time regulations, and any other regulations reasonably necessary to effect compliance with the minimum requirements of the Fair Labor Standards Act.
3. It is HACG policy to comply with the salary basis requirements of the FLSA. Therefore, HACG prohibits improper deductions from the salaries of exempt employees and does not allow deductions that violate the FLSA. If an employee believes that an improper deduction has been made to his/her salary, the employee should immediately report the information to a direct supervisor. Reports of improper deductions will be promptly investigated. If it is determined that an improper deduction has occurred, the employee will be promptly reimbursed for any improper deduction made.

M. **Overtime:** When operating requirements or other needs cannot be met during regular working hours, employees may be asked or will be given the opportunity to volunteer for overtime work assignments. All overtime work must receive the supervisor’s prior authorization. Overtime assignments will be distributed as equitably as practical to all employees qualified to perform the required work. Overtime compensation to all employees is in accordance with federal and state wage and hour laws. Overtime pay is based on actual hours worked. Time off on sick leave, vacation leave, comp time or any leave of absence will not be considered hours worked for purposes of performing overtime calculations.

N. **Overtime for Administrative Employees:** Occasional overtime work for non-exempt administrative employees, who are paid bi-weekly on a salaried basis, may be found necessary for proper performance of work, duties and responsibilities. Compensatory time will be given in lieu of overtime wage payments in accordance with rules and regulations established by the Executive Director as long as the rules and regulations comply with the minimum requirements of the Fair Labor Standards Act.

- O. **Overtime for Non-Exempt Maintenance Employees:** Overtime work by non-exempt maintenance employees (excluding designated exempt maintenance supervisors) will be compensated for in an amount equal to one and one-half times the regular hourly rate. Maintenance employees should not work overtime unless it is approved in advance by the Executive Director. Overtime hours are all hours worked in excess of forty hours in a single work week. Such overtime work shall be kept at a minimum and shall be authorized only when it is necessary to meet emergency requirements.
- P. **Payroll Deductions:** Federal and state income taxes, social security tax, and retirement contributions and cafeteria plan contributions shall be deducted at each pay period as authorized by law. Other payroll deductions shall be made only as requested in writing by the employee, approved by the Executive Director or required by law.
- Q. **Effective Date of Pay Adjustments:** Pay adjustments approved after the first working day of a pay period shall become effective at the beginning of the next pay period or at such specific date as may be approved.

SECTION VI. COMPENSATORY TIME OFF POLICY

The Executive Director, or his designee, is the only person authorized to approve compensatory time. Compensatory time shall not be granted for an employee's voluntary, unrequired attendance at HACG related functions, such as the Neighborhood Services Department's University Towers Christmas Party or neighborhood cleanups.

- A. **Non-exempt Salaried and Hourly Employees:** Non-exempt employees under the terms of the Fair Labor Standards Act may be given compensatory time in lieu of overtime wage payments in accordance with rules and regulations established by the Executive Director as long as the rules and regulations comply with the minimum requirements of the Fair Labor Standards Act. Non-exempt salaried and hourly employees shall be entitled to accumulate up to 240 hours of compensatory time off ("comp time") with approval of the Executive Director. Such employees shall receive one and one-half hours for each hour of employment for which overtime compensation is required. Non-exempt employees may use "comp time", after first obtaining supervisor approval.

Employees who accumulate 240 hours of comp time shall not be able to accumulate any further comp time beyond 240 hours but rather will be paid at the statutory rate of time and one-half for all overtime thereafter worked.

An employee using accrued compensatory time off shall be paid at his or her then regular rate. An employee, who terminates his or her employment and, at the time of termination, has accrued comp time, shall be entitled to receive payment for the unused comp time at a rate of compensation not less than the employee's final regular rate or the average regular rate received by such employee during the last 3 years of the employee's employment.

- B. **Exempt:** Exempt employees are not required to be paid overtime compensation under the terms of the Fair Labor Standards Act. However, HACG, in recognition of the extra effort involved, will award exempt employees one hour of comp time for each hour physically worked over 40 hours in a week. Exempt employees may accumulate up to 180 hours of comp time which they may use, after first obtaining supervisor approval. Exempt employees will receive no additional compensation for the accrued compensatory time off but will be able to use such accrued time to take time off from work without any reduction in their pay. By way of illustrating the foregoing, an exempt employee, who receives a salary of \$455.00 per week and who has accrued 8 hours of comp time, may (with his or her supervisor's approval) take off one day during the normal Monday through Friday workweek and still be paid \$455.00 for that week of work. At the discretion of the Executive Director, compensatory time may be given to personnel who are exempt from the wage and hour provisions of the Fair Labor Standards Act under other circumstances.

Upon the termination of an exempt employee's employment, any accrued and unused comp time shall be forfeited and the exempt employee shall receive no compensation for the same.

SECTION VII. EMPLOYEE BENEFITS

HACG makes certain employee benefits available to its regular employees, including retirement and insurance benefits. Written summaries of the available benefit programs will be provided separately. Each benefit program has its own eligibility requirements and employees should consult the benefits summaries for details.

- A. **Employee's Credit Union:** The HACG does not participate as a member of the GUCO Credit Union and does not accept any responsibility for the functions of this organization. However, the HACG acknowledges the benefits to the employees participating in the GUCO Credit Union and will permit properly authorized payroll deductions to be made for the Credit Union's operation. HACG employees may be eligible to participate in local, state and federal government credit unions.
- B. **Personal Safety Equipment:** The HACG is committed to providing a safe and healthful working environment for all employees and will supply tools, gloves and other personal safety equipment as may be approved by the Executive Director.
- C. **Longevity Pay:** A Longevity Pay program is available to eligible employees. The written Longevity Pay program is available upon request. HACG reserves the right to revoke the Longevity Pay program in the future.
- D. **Uniforms:** The HACG will furnish uniforms, including a portion of the laundry expenses, to certain classes of employees whose work requires uniformity of appearance or is unusually wearing to clothing. A portion of the cost will be

deducted from each pay check. No deductions will be made that would reduce the employee's pay below minimum wage. All designated employees are required to wear uniforms furnished and to keep their appearance as neat and clean as job requirements will permit.

HACG uniforms shall not be worn during off hours when an employee is working for a private business or in self-employment.

Before taking possession of the uniforms, the employee, who is required to wear uniforms must sign the Uniform Procedure stating that they will be liable for the current cost of replacing uniforms when either lost, willfully damaged, or not returned by the employee. The cost may be paid directly to HACG or will be deducted from the employee's pay. All uniforms worn out through normal usage and laundry will be replaced by the HACG uniform supplier, at no cost to the employee. The employee must sign the Uniform Inventory Form indicating they received the uniforms.

- E. **Education Achievement Incentive:** The HACG may provide salary incentives to encourage employees to complete, two-year, four-year, masters, and doctorate degree programs in a field which would be directly supportive of their positions. Such degree programs must be approved by the department head and the Executive Director, in relation to the specific position of the employee affected. However, if a position should normally require an educational degree (or the equivalent in training and experience) not possessed by the incumbent employee and that employee should subsequently acquire such a degree, an educational achievement salary incentive shall not be granted. Nor shall an employee be granted more than one salary incentive for any related degree. An employee who qualifies to receive an education achievement incentive may be required to enter into an Education Incentive Agreement that sets forth the conditions for receipt of the incentive.
- F. **Incentive Pay:** An Incentive Pay program is available to eligible employees. The written Incentive Pay program is available upon request. HACG reserves the right to revoke the Incentive Pay program in the future.
- G. **Major Emergency Expenses:** During conditions incident to natural or civil emergencies, the HACG may provide meals and housing for employees called out to perform emergency relief work, upon the authorization of the Executive Director.
- H. **Photo Identification Badges:** HACG will provide identification badges at no charge to all employees, and photos will be maintained in the personnel files. Badges will be replaced at no charge due to normal wear. Lost badges will be replaced at a cost to the employee to be determined by the Executive Director.

SECTION VIII. ATTENDANCE POLICY

Employees are expected to be at work on time and at work every scheduled work day, unless unable to do so due to illness, injury or unavoidable personal reasons which are approvable by management. Employees unable to report to work or to report on time are further expected to notify their supervisor or the Central Office by telephone prior to the commencement of work hours, but no later than 8:15 a.m. of the work day. Each employee is responsible for such notification personally, absent emergency circumstances, even though the employee might ask someone else to make the notification. *A no call/no show leads to immediate disciplinary action.* If the employee does not contact his/her supervisor for three consecutive workdays, then he/she will be considered as voluntarily resigning. Employees are also expected to seek the medical attention necessary to ensure their earliest return to work.

- A. **Purpose of Policy:** The purpose of this policy is to ensure all employees are aware of their obligation to maintain an acceptable attendance pattern and to provide equitable and consistent disciplinary measures to encourage improvement of employees with unacceptable attendance records before employment must be terminated. Absence, whether prearranged or unanticipated, places an extra burden on other employees and supervisors in completing work assignments; therefore, excessive absenteeism must be avoided, regardless of cause.
- B. **Absenteeism and or Tardiness:** Unexcused absence and/or unexcused tardiness of three times within a 30-day period or less is considered to be excessive and subjects the employee to appropriate disciplinary action.

SECTION IX. WORKING HOURS, VACATIONS, LEAVES AND HOLIDAYS

- A. **Timekeeping:** Accurately recording time worked is the responsibility of every employee. Federal and state laws require the HACG to keep an accurate record of time worked in order to calculate employee pay and benefits. Time worked is all the time actually spent on the job performing assigned duties. Employees should accurately track their work hours, as well as the beginning and ending time of each meal period. They should also track and/or record the beginning and ending time of any split shift or departure from work for personal reasons. All paper work associated with timekeeping are the responsibility of the employee. The employee shall submit all paper work to payroll personnel after all approvals are obtained no later than the time designated by the Executive Director. Overtime work must always be approved before it is performed. Altering, falsifying, tampering with time records, swiping another employee's card or recording time on another employee's time record may result in disciplinary action, up to and including termination of employment. Employees should report to work no more than 7 minutes prior to their scheduled starting time nor stay more than 7 minutes after their scheduled stop time without expressed, prior authorization from their supervisor. It is the employees' responsibility to monitor their pay checks to certify the accuracy of all time recorded. In addition, if corrections or

modifications are needed, both the employee and the supervisor must verify the accuracy of the changes and promptly inform the Accounting Department. All adjustments will be made in the following pay check.

- B. **Weekly Work Hours:** Full-time employees are required to work a minimum of 35 hours or more weekly or a minimum of 70 hours or more biweekly. Designated holidays are not considered standard work days.

Department heads and supervisory personnel shall work those hours necessary to assure the satisfactory performance of their departments.

- C. **Work Schedules:** The normal work schedule for all employees is 8:00 AM to 5:00 PM, 5 days a week, generally, Monday through Friday. Supervisors will advise employees of the times their schedules will normally begin and end. Staffing needs and operational demands may necessitate variations in starting and ending times, as well as variations in the total hours that may be scheduled each day and week.

- D. **Meal Periods:** All full-time employees are provided with one meal period of 60 minutes in length each workday. Supervisors will schedule meal periods to accommodate operating requirements. Employees will be relieved of all active responsibilities and restrictions during meal periods and will not be compensated for that time. In the event of an emergency situation, an employee may be required to return to active duty. The employee will be compensated for the time worked and will be given the opportunity to take the meal period at a later time.

- E. **Vacation:** Eligible employees, as defined in Section IV, above, shall earn vacation leave in accordance with the following schedule:

Employees on a 40-hour work schedule

<u>Service Factor</u>	<u>Hours Earned Per Month</u>	<u>Hours Earned Per Year</u>
Under five years service	8	96
After completion of five years	10	120
After completion of ten years	12	144
After completion of twenty years	14	168

Employees shall earn vacation leave only after having worked or been on paid leave for more than half the scheduled working days in the month. Employees regularly scheduled to work less than 40 hours in a work week shall receive the corresponding prorated hours of vacation. Earned vacation time does not entitle the employee to be absent without proper notice and approval by HACG.

Vacation leave shall be granted only with the prior approval of the employee's supervisor. If an employee requesting vacation leave has accrued both comp time and vacation leave, such employee must use his or her comp time before using his

or her vacation time. Employees must request vacation leave at least 48 full hours in advance of the beginning of the requested leave. Supervisors may refuse time off when this requirement has not been fulfilled or when such leave would create a hardship on HACG. Employees may request vacation leave for bona fide emergencies less than 48 hours in advance of the beginning of the requested leave. Such emergency that requires the employee to request vacation leave must be fully explained to the employee's supervisor and he/she may deny or approve the absence as approved vacation.

If an employee does not use his or her entire accrued vacation leave, the employee may carry over the unused vacation leave to the next year, provided that the maximum vacation leave that an employee may carryover as of December 31st each year shall be two times the vacation leave such employee earned in that calendar year. If an employee has unused vacation time that cannot be carried over, such excess vacation leave will be transferred to sick leave, where it may accumulate without limit.

Upon separation, an employee will be entitled to payment for all accrued, unused vacation leave, provided the employee gives two weeks' written notice of his termination of employment, excluding probationary employees. Any payments and retirement credits for accumulated vacation leave shall be subject to the two-year maximum accumulation. Any employee failing to give such notice, or being terminated for cause, forfeits such rights to ANY accumulated vacation leave. In addition, accrued, unused vacation leave may be forfeited if an employee receives an Education Achievement Incentive but fails to comply with the terms of the his/her education incentive agreement.

Employees who die while working for HACG will be entitled to payment for all of the accumulated vacation leave credited to his/her account, subject to the maximum accumulation. All such leave computation shall be at the regular rate of pay of the employee at the time of death. Such accumulated leave payment shall be paid to the estate of the deceased.

- F. **Sick Leave:** Sick leave with pay is not a right which an employee may demand, but a privilege granted by the HACG for the benefit of an employee when sick.

All eligible employees as defined in Section IV, above, shall earn sick leave at the rate of eight (8) hours per full calendar month of service or ninety-six hours (96) annually. Employees regularly scheduled to work less than 40 hours in a work week shall receive the corresponding prorated hours of sick leave. Sick leave shall be cumulative with no limit on the maximum accumulation. Employees shall earn sick leave only after having worked or been on paid leave for more than half the scheduled working days in the month.

Sick leave shall be granted to an employee absent from work for any of the following reasons: sickness, bodily injury, quarantine, required physical or dental examinations or treatment, exposure to a contagious disease when continuing to

work might jeopardize the health of others, or illness in the employee's immediate family which requires the care of the employee. Notwithstanding the foregoing, if an employee requesting sick leave has accrued both comp time and sick leave, such employee must use his or her comp time before using his or her sick leave. Any employee requesting sick leave should also reference Section IX, paragraph G.5. below, for the Family and Medical Leave requirements.

Death of Extended Family: Sick leave also may be used upon a death in the employee's immediate or extended immediate family. The use of sick leave will normally be limited to one day per occurrence; however, additional use of such leave up to 3 days may be granted with the approval of the department head. Immediate family shall be defined to include the employee's spouse, parents, legal guardians, children, sisters, and brothers, and the various combinations of half-, step-, and adopted relationships that can be derived from those named. Extended immediate family shall be defined to include an employee's in-laws (e.g., spouse's parents) and the various combinations of the spouse's half-, step-, and adopted relationships that can be derived from those relationships in the spouse's Immediate Family. Extended immediate family shall also include the employee's and the employee's spouse's grandparents and grandchildren. (See also "Bereavement Leave" for the death of an employee's immediate family member)

Doctor/Medical Appointments: Any employee, who has a doctor/medical appointment which requires the employee to be absent from work for more than 4 consecutive hours, shall be required to provide his or her supervisor with a doctor's note certifying that an absence from work for more than 4 consecutive hours is necessary because of the doctor/medical appointment. Each time an employee uses a doctor's excuse for an absence of more than 4 consecutive hours due to a doctor/medical appointment, the employee shall, prior to returning to work, provide a note from his or her health care provider indicating the physical capacity of the employee to resume duties. The HACG reserves the right to request additional documentation relating to medical appointments, if deemed necessary.

An Employee requiring sick leave must notify his or her supervisor of the need for such leave by calling in prior to the beginning of the employee's scheduled work day or shift. On the first work day following the employee's period of absence for sickness such employee shall submit to the supervisor official notice of the amount of leave taken on the form provided by HACG. Failing to call in or complete the official notice in a timely manner shall result in a charge to leave without pay for the time missed in addition to any disciplinary actions for failure to report to work.

Generally a doctor's excuse shall not be required for absences of less than 3 consecutive work days, however an employee's supervisor may require a physician's certificate concerning the nature of an illness and the physical capacity of the employee to resume duties for each occasion on which an

employee uses sick leave. However, an employee shall provide the supervisor with a doctor's excuse for absence due to sickness of 3 or more consecutive work days before such employee may resume duty. The supervisor is responsible for application of this provision so there will be no abuse of sick leave privileges.

Upon separation from employment, an employee shall not be entitled to pay for accumulated sick leave.

Employees, who are sick on Monday, Friday or immediately preceding or after holidays, may be required to produce a medical doctor's certificate after the second such incident.

If an employee does not provide a doctor's certificate when required, the employee will be subject to disciplinary action, will be counseled by his/her supervisor, and a memorandum will be placed in the employee's file (with a copy provided to the employee).

G. **Leaves of Absence:**

1. **Bereavement Leave:** Full-time, regular employees may be granted up to three days with pay, without charge to accumulated vacation or sick leave, for absences from work due to the death of an employee's immediate family member. Immediate family shall be defined to include the employee's spouse, parents, legal guardians, children, sisters, and brothers, and the various combinations of half-, step-, and adopted relationships that can be derived from those named. (See "Sick Leave" for the death of someone other than a member of the employee's immediate family.)

Notification of the need to take bereavement leave shall be submitted to the employee's supervisor as early as reasonably practicable, but in no event later than the beginning of the leave of absence, in a manner specified by the department head. The supervisor may require a death certificate or other reasonable documentation verifying the employee's eligibility for bereavement leave. Failure to provide notification or requested documentation may result in a charge to leave without pay or to sick leave for the time missed in addition to other disciplinary actions.

2. **Military Leave:** A military leave of absence will be granted to employees, who are absent from work because of service in the U.S. uniformed services, in accordance with the Uniformed Services Employment and Reemployment Rights Act (USERRA). Advance notice of military service is required, unless military necessity prevents such notice or it is otherwise impossible or unreasonable. An employee, who is a member of an Armed Forces Reserve organization or the National Guard, shall be granted two calendar weeks of leave with pay for required military training in a calendar year. While on two-week military leave,

benefits will accrue as though the employee were present for duty. The leave is not charged as annual leave; however, any salary payment which the employee receives from the military shall be deducted from the sum paid by the HACG. Should the pay for military service exceed the amount earned as a HACG employee for that period of leave, the employee shall receive no salary from the HACG during the leave period. Employees may use any available paid time off for the absence. Continuation of benefits is available as required by USERRA based on the length of the leave and subject to the terms, conditions and limitations of the applicable plans for which the employee is otherwise eligible. Employees returning from military leave will be treated as though they were continuously employed for purposes of determining benefits based on length of service, to the extent required by USERRA. If an employee dies while performing qualified military service or does not return to employment with HACG due to a disability incurred while performing qualified military service, the employee (or, in case of death, the employee's beneficiary) may be entitled to additional retirement benefits under the terms of the North Carolina Local Governmental Employees' Retirement System or the NC 401(k) Plan. You should review your plan summary or contact the plan administrator if you think you may be affected. Contact the Executive Director for more information or questions about military leave.

3. **Civil Leave:** An employee summoned for jury duty or as a subpoenaed witness in any civil or criminal legal proceeding may receive leave with pay for such duty during the required absence, without charge to accumulated vacation or sick leave, in addition to any fees paid by the court for such duty. An employee on civil leave shall be required to report back to work between court sessions and during any other period that his/her presence is not required in the court room. A summons or subpoena must be legally served for acting as a witness or for jury duty, and the employee must immediately notify his/her supervisor.
4. **Leave without Pay:** A regular employee may be granted a leave of absence without pay for up to one year upon the recommendation of the supervising department head and the approval of the Executive Director. The leave shall be used for reasons of personal or family disability, continuation of education, or special work that will permit the HACG to benefit by the experience gained or the work performed.

An employee requesting such leave for personal or family physical disability reasons may be required to present a physician's statement concerning the prospect of the employee being able to return to work because of improvement or cessation of the disability, changing circumstances or acquisition of new skills.

The employee shall apply in writing to the supervisor for leave. Granting of leaves of absence is discretionary and no employee is guaranteed a

leave of absence. The employee is obligated to return to duty within or at the end of the time as stated in the written request. If the employee decides not to return to work, the supervisor should be notified immediately in writing. Failure to report at the expiration of a leave of absence, unless an extension has been approved, shall be considered a resignation.

An employee shall retain all accrued vacation and sick leave and all retirement credits while on leave without pay. An employee ceases to earn leave credits or to accrue other benefits on the date leave without pay begins.

5. **Family and Medical Leave:**

It is the policy of HACG to grant leave in accordance with the Family and Medical Leave Act of 1993 (FMLA). FMLA leave is unpaid unless the employee has available sick or vacation leave to use concurrently with FMLA leave, as detailed below.

a. **Eligibility**

Employees who have worked for HACG for at least twelve (12) months and at least 1,250 hours during the prior twelve (12) months (“eligible employees”) may take FMLA leave.

b. **Kinds and Amounts of FMLA Leave**

1. An eligible employee may take up to twelve (12) weeks of Self/Family Care Leave for the following reasons:
 - (a) Birth and/or care of the employee's child;
 - (b) Placement of a child into the employee’s family by adoption or by a foster care arrangement;
 - (c) Care of the employee’s spouse, child, or parent who has a serious health condition; or
 - (d) Inability of the employee to perform the functions of his/her job due to a serious health condition;
 - (e) For qualifying exigencies arising from the fact that the employee's spouse, son, daughter, or parent in the Armed Forces, National Guard or Reserves is on active duty and has been deployed to a foreign country
2. An eligible employee may take up to 26 weeks of Military

Caregiver Leave. Military Caregiver Leave is leave to care for a member (or former member up to five years after discharge) of the Armed Forces who is undergoing medical treatment, recuperation therapy, or is otherwise in outpatient status or on the temporary disability retired list for an illness or injury. A serious illness or injury for purposes of Military Caregiver Leave is an illness or injury incurred in the line of duty on active duty in the Armed Forces or a preexisting condition aggravated by active duty service which renders that individual medically unfit to perform the duties of his/her office, grade, rank, or rating.

3. An eligible employee may take up to twelve (12) weeks of Qualifying Exigency leave during a rolling 12-month period while the employee's spouse, son, daughter, or parent is on active duty or call to active duty status (the "Covered Military Member") for one or more of the following qualifying exigencies:
 - (a) Short-notice deployment;
 - (b) Military events and related activities;
 - (c) Certain childcare and school activities arising from the active duty or call to active duty;
 - (d) To make certain financial and legal arrangements;
 - (e) For counseling where the need for counseling arises from the active duty or call to active duty status of the covered military member;
 - (f) To spend time with a Covered Military Member who is on short-term, temporary rest and recuperation leave during the period of deployment;
 - (g) For certain post deployment activities;
 - (h) To address other events which arise out of the Covered Military Member's active duty or call to active duty status, where both HACG and the employee agree to the timing and duration of the leave

Qualifying Exigency leave is available for a family member's duty under a call or order to active duty (or notification of an impending call or order to active duty) for deployment to a foreign country by a member of the Armed

Forces, National Guard, Reserves, or retired, re-activated Armed Services.

4. Any FMLA leave taken by an employee during the preceding 12-month period will be used to determine the current amount of available Self/Family Care and Qualifying Exigency Leave pursuant to the Family and Medical Leave Act. The amount of Military Caregiver Leave available is determined on a 12-month basis which begins on the first date Military Caregiver Leave is used.
5. The total of all leaves taken pursuant to the Family and Medical Leave Act shall not exceed 12 weeks in any 12-month period for all FMLA purposes other than Military Caregiver Leave. Up to 26 weeks of Military Caregiver Leave may be taken in a single 12 month period. The 26 weeks available for Military Caregiver Leave is reduced by any FMLA leave taken for other purposes during the 12-month period.
6. Family and Medical Leave for the birth and/or placement of a child into an employee's family for foster care or adoption must be taken within the 12 months immediately after the birth or placement of the child.

c. **Serious Health Condition**

For the purposes of this policy, a serious health condition means an illness, injury, impairment, or physical or mental condition that involves:

1. Inpatient care (involving an overnight stay) in a medical care facility, including any period of incapacity (regardless of length) or subsequent treatment in connection with or consequent to such inpatient care; or
2. Continuing treatment by a health care provider, including any one of the following:
 - (a) any period of incapacity of more than three consecutive calendar days, and any subsequent treatment or period of incapacity relating to the same condition, that also involves:
 - i) treatment two or more times by a health care provider within 30 days of the first day of incapacity (unless there are extenuating circumstances); or

- ii) treatment on at least one occasion by a health care provider which results in a regimen of continuing treatment under the supervision of the health care provider; or
- iii) treatment by a health care provider for purposes of this section means an in-person visit to the health care provider. The first in-person visit must occur within seven (7) days of the first day of incapacity;
- (b) any period of incapacity (regardless of duration) due to pregnancy or for prenatal care;
- (c) any period of incapacity or treatment for such incapacity (regardless of duration) due to a chronic serious health condition;
- (d) any period of incapacity (regardless of length) which is permanent or long-term due to a condition for which treatment may not be effective (example: Alzheimer's, severe stroke, terminal stages of a disease); or
- (e) any period of absence from work (regardless of duration) to receive multiple treatments (including any period of recovery from the treatment) by a health care provider or by a provider of health care services under orders of or on referral by a health care provider, either for restorative surgery after an accident or other injury, or for a condition that would likely result in a period of incapacity of more than three (3) consecutive calendar days in the absence of medical intervention or treatment (example: chemotherapy or radiation treatments for cancer, physical therapy for severe arthritis, dialysis for kidney disease, etc.).

d. Intermittent Leave

Generally, FMLA Leave may be taken in a continuous block or on an as needed basis, except that intermittent leave or reduced schedule is not available for the birth/placement/adoption of a healthy child. In the case of a FMLA leave for serious health conditions or to care for a covered service member with a serious illness or injury, the leave may be taken intermittently or on a reduced hours basis only if such a leave is documented by a health

care professional as medically necessary. Where an employee requests intermittent leave or leave on a reduced hours basis due to a family member's or the employee's own serious health condition or a covered service member's serious illness or injury, HACG has the option, in its sole discretion, to require the employee to transfer to a temporary alternative job for which the employee is qualified and which accommodates the intermittent leave or reduced hours leave better than the employee's regular job. The temporary position will have pay and benefits equivalent to the employee's regular job.

e. **Use of Accrued Leave**

Family and Medical Leave is an unpaid leave of absence. However, when the employee has available sick and/or vacation leave, the employee must use all accrued sick and/or vacation leave concurrently with FMLA leave. When sick and/or vacation time is used for a reason which qualifies for FMLA leave, the notice and certification requirements of the FMLA will apply.

f. **Concurrent Leave**

If leave is taken for another reason or pursuant to another HACG policy that also qualifies as Family and Medical Leave under this policy, it will be considered to be leave taken under this policy.

g. **Notice**

When the need for a leave of absence is foreseeable, such as for the expected birth or placement of a child for foster care or adoption, the employee must provide HACG at least 30 days notice of his or her intention to take the leave. If the date of the birth or placement of a child requires the employee's leave to begin in fewer than 30 days from the date of notice to HACG, the employee must provide such notice as soon as practical. Where the necessity for leave is due to a family member's or an employee's own serious health condition and is foreseeable based on planned medical treatment, the employee must:

1. Give at least 30 days notice, or as soon as practical if treatment is to start in fewer than 30 days; and
2. Make a reasonable effort to schedule the treatment so as not to unduly disrupt the operations of HACG, subject to the approval of the healthcare provider.

Where the need for leave is unforeseeable, the employee must give notice as soon as practicable. Employees must comply with

HACG's usual procedures for calling in and requesting leave and/or notification of absence. Failure to do so may result in a delay of Family and Medical Leave and/or disciplinary action.

h. Medical Certification/Fitness for Duty

Any leave request based on an employee's own serious health condition, a family member's serious health condition, or a service member's serious illness or injury must be supported by certification from a healthcare provider. The employee must provide completed certification to HACG within 15 calendar days after receipt of the form from HACG unless other arrangements have been made.

HACG may require an employee on FMLA leave to report periodically on his or her status and intention to return to work, and to provide periodic re-certification of the medical condition.

An employee taking leave due to his or her own serious health condition will be required to obtain certification that he or she is able to resume work before his or her return from any FMLA leave.

A request for Qualifying Exigency leave must be submitted to the employee's supervisor and must be supported by the timely submission of the appropriate certification and a copy of the Covered Military Member's orders.

i. Benefits

During FMLA leaves, HACG will continue to pay its portion of the employee's health insurance premium. The employee must also pay his or her share in order to continue health insurance coverage. The employee should arrange for such payment with Human Resources. An employee's failure to pay his or her share of the health insurance premium may result in a loss of coverage.

If the employee does not return to work after the expiration of the leave, the employee may be required to reimburse HACG for payment of health insurance premiums during the Family/Medical Leave, unless the employee does not return because of the presence of a serious health condition that prevents the employee from performing his or her job or because of other circumstances beyond the employee's control.

During unpaid leave, an employee shall not accumulate sick and/or vacation leave. An employee on FMLA leave will not lose any

employment benefits accrued by the employee up to the day FMLA leave began.

j. **Reinstatement**

Employees who return to work from FMLA leave on or before the business day following the expiration of the FMLA leave are entitled to return to their own position or to an equivalent position without loss of benefits, pay, or seniority, unless (a) their employment with HACG would have been terminated if no leave had been taken; (b) they gave notice of their intent to terminate their employment; or (c) they cannot, with or without reasonable accommodations, safely perform the essential functions of the job to which they may be restored. Certain key employees may not be eligible for these reinstatement rights.

k. **Forms**

Forms for documenting the need for Family and Medical Leave are available from Human Resources and must be returned to Human Resources at least 30 days before the start of the leave or as soon as practical. Any medical certification forms or certification forms required for Self/Family Care Leave, Military Caregiver Leave, or Qualifying Exigency Leave must be returned within 15 days of receipt by the employee.

6. **Extended Leave:** When Family and Medical leave has been exhausted, or if no Family and Medical leave is available, employees who have completed six (6) months of continuous service may apply for an extended illness leave.

A regular employee desiring extended illness leave shall apply in writing to his or her supervisor stating the nature of the condition, the anticipated dates and duration of the requested leave, and the type of leave requested. Employees may be required to submit medical documentation supporting the leave request. Such application for extended illness leave should be submitted before the expiration of the employee's Family and Medical leave or as soon as practicable after the employee becomes aware such extended leave is required (regardless of whether the employee has accumulated sick and/or vacation leave). Extended illness leave shall only be granted to an employee following the Executive Director's review and authorization of the employee's application for leave.

Extended illness leave is granted at HACG's sole discretion, and no employee is automatically entitled to extended illness leave. Each department head shall be responsible for determining, with the employee and with a certification from his/her physician and based on the nature of

work to be performed, the period of extended illness leave (if any) that is granted. Extended illness leaves will not be granted for a period longer than six months (or, if longer, the period for which the employee has accumulated sick and vacation time) measured from the first day of such employee's absence (or, if later, the end of such employee's Family and Medical leave). Sick and vacation leave must be used concurrently with extended illness leave. When accrued sick and vacation leave have been exhausted, the employee will be placed on leave without pay for the remainder of the approved extended illness leave.

While on extended illness leave, the employee will continue to receive benefits as though the employee were present for work. While on paid leave, deductions for the employee's cost of benefits will continue as though the employee were present for work. While on unpaid leave, the employee must pay to HACG the employee's cost of benefits, including the costs for medical benefits and insurance coverages. If the employee does not pay for such benefits during unpaid leave, the coverages shall terminate as provided in those plans. Employees should review each plan's summary to determine when benefits will terminate.

The employee must apply for reinstatement at the end of the approved extended illness leave. If the employee will not return to work with HACG, the employee shall notify his or her supervisor immediately in writing. Failure to do so, unless an extension of the extended illness leave has been approved, will be considered a resignation effective on the date the extended illness leave ends. Employees returning from extended illness leave cannot be guaranteed reinstatement with HACG. However, HACG tries to place employees returning from extended illness leave in their former position or in a position comparable in status and pay, subject to budgetary restrictions, our need to fill vacancies, and the ability to find qualified temporary replacements.

Any exception to this extended illness policy must be approved in writing by the Executive Director.

7. **Workers' Compensation Leave - HACG Benefits:** The HACG has elected to continue the employee's regular salary, without charge to accumulated leave time, for the remainder of the day of injury provided absence from work is necessary to receive medical treatment. This benefit is granted when the injury is properly reported, when the employee accepts HACG referral to a medical provider, and when the injury is determined by the department head and approved by the Executive Director as reasonably job-related under workers' compensation definitions.

For the duration of any medically required absence from work, an employee may elect:

- a. To receive only those payments under the workers' compensation laws without using accumulated sick or other leave, or
- b. To use accumulated sick and/or other leave and receive a supplemental payment equal to the difference between the regular base salary and the workers' compensation benefit payments.

Deductions from the accumulated leave balances will be fractions proportionate to the supplemental payment. Such payments are taxable (the same as any other pay) and are subject to all authorized deductions.

To receive approved leave, paid or unpaid, it is the employee's responsibility to provide a physician's statement stating the reason and duration of the absence. Such notification shall be submitted to the employee's supervisor prior to the beginning of the scheduled workday or shift, or in a timely manner specified by the department head. Unauthorized or unreported absence from the job for three consecutive workdays shall be considered as an employee's resignation, and thereby, he/she shall automatically be dropped from the payroll.

Any salary leave payments to an employee for a period of time later determined to be covered by workers' compensation insurance must be reimbursed in full to the HACG upon receipt of such workers' compensation payments. Any leave used by an employee prior to going on workers' compensation leave shall be credited back to the employee's accumulated leave record upon salary reimbursement to the HACG.

In no instance is the combination of accumulated leave time and workers' compensation payments to exceed 100% of the employee's regular base pay.

8. **Leave for Parental Involvement in School:** An employee with school age children shall be entitled to up to four hours of unpaid leave per school year, so that the employee may attend or otherwise be involved in his/her child's school. The leave shall be at a mutually agreed upon time between the employee and his/her supervisor with a 48-hour notice for such leave.
 9. **Inclement Weather Leave:** Unless otherwise determined by the Executive Director, employees who do not report to work because of weather conditions shall take vacation for the period absent. See Critical Service Area Employees in Section IV.
- H. **Blood Donation:** An employee requesting the opportunity to donate blood to the Red Cross Blood Bank during one of the scheduled Red Cross Bloodmobile visits will be allowed a half-day (four hours) with pay to do so. The employee shall provide the supervisor with written verification of having donated to the Red Cross. However, if for some reason the employee is unable to donate blood,

he/she shall return to work as soon as possible. All blood donations will be coordinated and scheduled by the supervisor.

- I. **Holidays:** At the beginning of each year, a list of holidays, which will be observed during that calendar year, will be distributed to all employees.

When a holiday falls on Saturday, the preceding Friday will be observed as the designated holiday and when a holiday falls on a Sunday, Monday will be observed as the holiday except that the Executive Director may designate that the holiday will be observed on another day in order to have uniformity with other governmental units for the day of holiday observance. A non-exempt employee must work or be on paid leave the day before and the day after a holiday to be entitled to pay for the holiday. All part-time and temporary employees will observe holidays; however, they will not receive compensation.

SECTION X. PROMOTIONS, DEMOTIONS, TRANSFERS, RECLASSIFICATIONS

- A. **Promotion:** When a vacancy occurs or new positions are established, current employees may apply for said positions.

- B. **Demotion:** Any employee, whose work in his/her present position is unsatisfactory or whose personal conduct is unsatisfactory, may be demoted, provided the employee shows promise of becoming a satisfactory employee in another position. The employee's salary may be reduced if the new position is in a lower pay range with the reduction determined by the Executive Director.

An employee, who wishes to accept a position with less complex duties and responsibilities, may be demoted for reasons other than unsatisfactory performance of duties or failure in personal conduct. Such request should be made in writing to the immediate supervisor.

- C. **Transfer:** Any employee desiring to be transferred from one division or department to another should make the request in writing to the Executive Director. As vacancies occur in other departments to which the employee would be eligible for transfer, his/her name will be submitted to the department head for consideration. Approval by the supervisor, the receiving department supervisor, and the Executive Director must be made on the appropriate forms. When transfers of personnel are necessitated by organizational changes, every effort shall be made to place affected employees in positions which will permit them to retain their present level of salary at the time of transfer. Due consideration will be given to the desires of the employees involved.

- D. **Reclassification of Employee:** Whenever a program or position is eliminated, it will be at the discretion of the Executive Director or his/her designee to determine whether an employee is reclassified or dismissed. An employee whose position is reclassified to a class having a higher pay range shall receive an increase only if necessary to reach the minimum of the new pay range. An employee whose position is reclassified to a lower classification due to the elimination of his/her

position or vacating the position due to reduction of force shall be frozen at his/her present salary as long as this salary is above that of the new position. This provision shall not apply if the elimination of the position is caused by the necessity to reduce the overall budget in order to keep within solid guidelines or solvency in management.

SECTION XI. SEPARATION AND DISCIPLINARY ACTION AND REINSTATEMENT

A. **Types of Separation:** All separations of employees from service with the HACG shall be designated as one of the following types:

1. **Resignation:** An employee may resign by submitting in writing the reasons for the resignation and the effective date to the supervisor as far in advance as possible, but a minimum of two weeks' notice is required. Failure to comply with this requirement may be cause for denying future employment with the HACG and will result in the forfeiture of all accumulated leave.

Resignation is a voluntary act initiated by the employee to terminate employment with HACG. Prior to an employee's departure, an exit interview will be scheduled to discuss the reasons for resignation and the effect of the resignation on benefits.

2. **Left Job:** Unauthorized or unreported absence from the job for three consecutive work days shall be considered as an employee's resignation, and thereby he/she shall automatically be dropped from the payroll.
3. **Dismissal:** An employee may be dismissed by the Executive Director based upon recommendation of the immediate supervisor for unsatisfactory performance of duty, unsatisfactory personal conduct or failure to meet required conditions for employment. An employee dismissed may request a hearing with the Executive Director.
4. **Lay-Off:** In the event that a reduction in force becomes necessary, consideration shall be given to the quality of each employee's past performance and the needs of the HACG. All other factors being equal, length of service and seniority shall be given consideration.
5. **Retirement:** When an employee meets the conditions set forth under the provisions of the North Carolina Local Governmental Employees' Retirement System, he/she may elect to retire and receive all benefits earned under the provisions of the retirement plan.
6. **Disability:** An employee may be separated for reasons of disability when the employee cannot perform the required essential duties of his or her job, with or without reasonable accommodation, because of a physical or mental impairment. Action may be initiated by the employee or the

HACG, but in all cases it must be supported by medical evidence as certified by a competent physician. The HACG may require an examination at its expense and performed by a physician of its choice.

7. **Death:** Separation shall be effective as of the date of death. All compensation due shall be paid to the estate of the deceased employee.

- B. **Reinstatement:** A regular full-time employee called into extended active duty with the United States military forces, who does not volunteer for service beyond the period for which called, shall be entitled to all rights provided under USERRA.

A regular full-time employee dismissed because of reduction in force (lay off) may be reinstated within one year of the date of separation, with the approval of the department head and Executive Director. Such employees reinstated may be credited with previous service and previous accrued sick leave and may receive all benefits provided in accordance with these Policies and under supplementary rules and regulations. The salary paid a reinstated employee shall be as close as reasonably possible, given the circumstances of each employee's case, to the salary previously attained by the employee in the salary range for the previous class of work.

All other former employees requesting re-employment shall complete an application form to which should be attached a statement from the former department with a re-employment recommendation for the individual. Upon the approval of reappointment, the former employee shall begin as any other new employee, with no credit for previous years of service, unless otherwise provided for purposes of any policy or benefit program.

- C. **Disciplinary Actions:** It is the policy of the HACG to resolve employee problems as they develop whenever possible through informal dialogue and counseling. This non-disciplinary approach is intended to accommodate individual differences among employees and to prevent the necessity of formal disciplinary action. However, if informal discussions are unsuccessful or if more carefully documented exchanges are indicated, disciplinary action shall be implemented in accordance with the policy. All levels of disciplinary action are to be documented by the supervisor. A co-worker of the employee's choice may attend a disciplinary meeting.

An employee may be suspended, demoted, transferred, placed on disciplinary probation or dismissed because of failure in performance of duties, assault on or the harassment, sexual or otherwise, of a supervisor or other employees or customers or vendors, impairment while on duty or while under the influence of alcohol or drugs, failure in personal conduct, or failure to meet or maintain required conditions of employment. Employees are at-will and may be terminated with or without cause.

The following are examples of disciplinary actions that may be taken:

1. **Written:** The employee and immediate supervisor shall discuss the failure in performance of duty. The supervisor shall take actions as deemed appropriate, up to and including suspension. The supervisor shall prepare a written record of the discussion held, the performance deficiencies in question, and the corrective actions recommended. This record shall be signed by the employee and supervisor and routed through the Executive Director to the Accounting department to be filed in the employee's official personnel file.
 2. **Dismissal:** The employee is dismissed with the approval of the Executive Director. The dismissal may be appealed by the employee under Section XII, paragraph B.
- D. **Failure in Performance of Duties:** An employee whose work is unsatisfactory over a period of time shall be notified by the supervisor in what way the work is deficient and what must be done if the work is to be satisfactory. The following causes relating to failure in performance of duties are representative of those considered to be adequate grounds for suspension, demotion, transfer, disciplinary probation, or dismissal. This list is not exhaustive, and employees may be disciplined or terminated by HACG for other reasons or may be terminated for no reason:
1. Demonstrated inefficiency, negligence, or incompetence in the performance of duties.
 2. Careless, negligent, or improper use of HACG property or equipment.
 3. Physical or mental incapacity to perform duties, as certified by a physician.
 4. Discourteous treatment of the public or other employees.
 5. Absence without approved leave.
 6. Habitual improper use of leave privileges.
 7. Habitual pattern or failure to report for duty at the assigned time and place.
 8. Failure to use prescribed safety equipment or follow established safety regulations.
- E. **Grounds for Disciplinary Action:** The list below represents examples of grounds for disciplinary action up to and including immediate termination without further notice. This list is not intended to be all-inclusive, but rather to serve as a guide to supervisory personnel:

1. Theft of property from HACG or HACG employees while on duty, or exhibiting the odor of alcohol while on duty, whether intoxicated or not.
2. The use, sale or possession of illegal drugs on duty in any location or off duty on HACG premises.
3. Falsifying HACG records.
4. Possession of weapons or firearms on HACG premises.
5. Misuse of or damage to HACG property either intentionally or by gross negligence.
6. Leaving the workplace during work hours without permission.
7. Unauthorized operation of tools, machinery or equipment.
8. Gambling on HACG property.
9. Disregard of safety rules.
10. Failure to report injury or accident on the job.
11. Insubordination or disrespect toward a supervisor.
12. Neglect or disobedience to the lawful and reasonable orders given by a supervisor.
13. Sleeping during working hours.
14. Excessive absenteeism and/or excessive tardiness.
15. Abuse of lunch and/or break periods.
16. Failure to perform official duties.
17. Conviction of or pleading no contest to a felony or misdemeanor involving moral turpitude or which could adversely affect performance of duties.
18. Dishonesty, immoral conduct and conduct unbecoming an employee of the HACG.
19. Failure to notify supervisor of an unscheduled absence.
20. Falsification of timekeeping records.
21. Fighting or threatening violence in the workplace.
22. Discourteous treatment or harassment of residents or other employees.

23. Abuse of leave policies.
 24. Unauthorized disclosure of confidential information including information regarding residents.
 25. Giving or accepting gifts in exchange for favors or influence.
- F. **Non-Disciplinary Suspension:** During the investigation, hearing, or trial of an employee on any criminal charge or during the course of any civil action or internal investigation involving an employee, the Executive Director may suspend the employee without pay for the duration of the proceedings as a non-disciplinary action. If the suspension is ended by full reinstatement of the employee, the Executive Director may authorize full or partial recovery of pay and benefits for that period of suspension. If the suspension is ended by a disciplinary suspension, demotion, transfer or dismissal, there shall be no recovery of pay and benefits for the period of the non-disciplinary suspension.
- G. **Suspension:** An employee, who is suspended for disciplinary reasons, shall be relieved immediately of all duties and responsibilities and shall receive no compensation for the period of suspension.

SECTION XII. GRIEVANCE PROCEDURE

- A. **Definition:** A grievance is any dispute concerning the interpretation or application of this policy or the policies governing personnel practices, working conditions, or decisions relative to any disciplinary action or charge of discrimination.

Non-grievable subjects include: (1) the negotiation of wages, salaries, or fringe benefits; (2) any work activity accepted by the employee as a condition of employment; (3) operating and/or organizational changes adopted by the HACG for the efficient and economical operation of HACG services, including but not limited to hours of work, licenses and certifications, residency requirements, and other specified conditions of employment; and (4) subjects covered by existing regulations or established personnel policies and procedures, including claims related to benefit program with established claims procedures. Non-grievable complaints may, however, be provided customary administrative review outside the scope of the grievance procedure.

- B. **Policy:** It is the policy of the HACG to provide a means whereby employees may freely discuss problems with supervisors and to provide a procedure for the presentation and mutual adjustment of points of disagreement which arise between employees and their supervisors. This procedure is designed to assure all employees that their complaints and grievances will be answered and decided fairly, quickly and without reprisal or threat.

Grievance Procedure:

Step 1. The employee shall first present a grievance, in writing, to the immediate supervisor within fourteen (14) calendar days of its occurrence or within fourteen (14) days of the time the employee learns of its occurrence, with the objective of resolving the matter informally. The supervisor shall respond in writing to the aggrieved employee within two (2) complete working days after receipt of the grievance; and the response shall be signed by the supervisor. The employee will sign a copy of the decision to acknowledge receipt and date of receipt. If the employee refuses to sign acknowledging receipt, a notation will be made indicating that the employee refused to sign the document.

Step 2. If the grievance is not resolved to the satisfaction of the employee in Step 1, the employee may submit a request for a decision by the next appropriate level of management within four (4) complete working days. The employee at the next appropriate level of management will hear the grievance within five (5) complete working days after receipt of the grievance and document the decision in writing with a copy to the employee within two (2) complete working days.

Step 3. If the grievance is not resolved to the satisfaction of the employee during Step 2, the employee may request a hearing with the Executive Director within four (4) complete working days after receipt of the response. The Executive Director shall arrange a hearing and announce a decision within five (5) complete working days to the employee in writing including certified mail. The employee shall be requested to sign and date a copy of the Executive Director's response to acknowledge receipt.

A copy of all documents shall be sent by the department head/supervisor to the Accounting Department, signed and dated by the employee to acknowledge receipt of the response.

- C. **Finality of Decision:** The decision of the Executive Director shall be conclusive and final, and there shall be no further appeal.

SECTION XIII. RECORDS AND REPORTS

A. **Records:** The HACG records pertaining to the Personnel Policy such as the Policy itself, and overall Pay Plan, shall be public records and shall be open for public inspection during the office hours at reasonable times in accordance with such procedures and guidelines as the Executive Director may prescribe. All requests for copies are subject to a fee per copy.

B. **Employee Personnel Records:** The designee of the Executive Director shall maintain such employee personnel records as are necessary for the proper administration of the personnel system. Each personnel file shall contain such documents as the pre-employment application and resume, record of all personnel actions, performance evaluations, retirement and insurance records, test results,

certificates of achievement, letters of recommendation and commendation, letters of reprimand, records of disciplinary action and other documents relevant to accomplishing personnel administration purposes. The material in the individual employee record is considered confidential in order to protect the privacy of employees and shall be released only in accordance with the applicable law.

- C. **Access to Personnel Files:** Personnel files are the property of the HACG and access to the information they contain is restricted. Generally, only supervisors and management personnel of the HACG, who have a legitimate reason to review information in a file, are allowed to do so. The employee or his duly authorized agent may examine all portions of his/her personnel file except (i) letters of reference solicited prior to employment, and (ii) information concerning a medical disability, mental or physical, that a prudent physician would not divulge to his patient.

The employee may not remove his/her original personnel file from HACG's offices, and the examination will be done in the presence of a designated HACG employee. If an employee wishes to have a copy of any documents contained in his/her personnel file, there will be a fifteen cents per page charge, which must be paid prior to the delivery of the copy(ies) to the employee. HACG will have a reasonable period of time following such a request to copy the requested documents.

- D. **Records Subject to Retention Policy:** HACG shall maintain a separate policy governing the retention and destruction of HACG's records, including but not limited to records related to the Personnel Policy and Personnel Files. The availability of records are subject to HACG's retention policy, as it may be amended from time to time.

SECTION XIV. SAFETY AND USE OF EQUIPMENT AND VEHICLES

- A. **Safety:** To assist in providing a safe and healthful work environment for employees, customers, and visitors, the HACG has established a workplace safety program. This program is a top priority for the HACG. Its success depends on the alertness and personal commitment of all employees. The HACG provides information to employees about workplace safety and health issues through regular internal communication channels such as supervisor-employee meetings, bulletin board postings, memos or other written communications. Each employee is expected to obey safety rules and to exercise caution in all work activities. All employees are required to comply with the safety requirements of OSHA. Employees must immediately report any unsafe condition to the appropriate supervisor. Employees, who violate safety standards, who cause hazardous or dangerous situations, or who fail to report or, where appropriate, remedy such situations, may be subject to disciplinary action, up to and including termination of employment. **In the case of accidents which result in injury, regardless of how insignificant the injury may appear, employees should immediately**

notify the appropriate supervisor. Such reports are necessary to comply with laws and initiate insurance and workers' compensation benefits procedures.

- B. **Use of Equipment and Vehicles:** Equipment and vehicles owned or operated by HACG are to be used for official HACG business only. Any employee who operates a HACG vehicle must possess a valid NC driver's license. Employees may be required to show their driver's license as proof that the license is not revoked, restricted, or expired. Employees will be personally responsible for all fines and court costs associated with citations, which they receive while operating a HACG motor vehicle.

Equipment and vehicles essential in accomplishing job duties are expensive and may be difficult to replace. When using property, employees are expected to exercise care, perform required maintenance and follow all operating instructions, safety standards and guidelines. Please notify the supervisor if any equipment, machines, tools or vehicles appear to be damaged, defective, or in need of repair. Prompt reporting of damages, defects, and the need for repairs could prevent deterioration of equipment and possible injury to employees or others. The supervisor can answer any questions about an employee's responsibility for maintenance and care of equipment or vehicles used on the job. The improper, careless, negligent, destructive or unsafe use or operation of equipment or vehicles, as well as excessive or avoidable traffic and parking violations, can result in disciplinary action, up to and including termination of employment.

- C. **Driver Performance Standards:** Motor Vehicle Records (MVR) as maintained by the state reflecting individual motor vehicle violations have a direct effect on the HACG vehicle insurance premiums. The HACG has a continuing interest in the safety and well-being of its employees and has an obligation to protect its physical assets. Violations of these standards may be grounds for disciplinary action, up to and including dismissal.

1. Some examples of violations are listed below:
 - a. Alcohol and/or controlled chemical substances violations (such as, driving while intoxicated, implied consent refused test, open bottle), reckless driving, careless driving, unlicensed or uninsured driving, or use of vehicle during the commission of a felony.
 - b. Leaving the scene of an accident, driving without a drivers' license in possession or proof of insurance in possession.
 - c. All other violations, except for parking tickets and equipment violations.
 - d. Preventable On-the-Job Accidents, unless the accident occurs while the HACG driver's vehicle is parked or if the HACG vehicle is plowing snow and there are no other violations.

2. Prompt reporting of the following to the appropriate supervisor, i.e., no later than the next working day after is required:
 - a. Revocation or suspension of a driver's license;
 - b. On-the-job vehicle citations; and
 - c. Accidents involving an HACG VEHICLE.

While individual circumstances surrounding a specific situation may vary, disciplinary and/or corrective measures may be performed and appropriate action may be determined by the Executive Director.

- D. **Return of Property:** Employees are responsible for all HACG property, materials or written information issued to them or in their possession or control. Employees must return all HACG property immediately upon request or upon termination of employment.

SECTION XV. TELEPHONE AND COMPUTER USAGE

- A. **Use of Phone and Mail Systems:** Personal use of the telephone for long-distance and toll calls is not permitted. Employees should practice discretion when making local personal calls and may be required to reimburse the HACG for any charges resulting from their personal use of the telephone. The use of the HACG paid postage for personal correspondence is not permitted. To ensure effective telephone conversations, employees should always use the approved greeting and speak in a courteous and professional manner. Please confirm information received from the caller and hang up only after the caller has done so. Excessive personal use of the telephones or violation of this policy will result in disciplinary action, up to and including termination.
- B. **Computer and E-mail Usage:** Computers, computer peripherals, computer files, the e-mail system and software furnished to employees are the HACG property intended for business use. Employees should not use a password, access a file, or retrieve any stored communication without authorization. The HACG strives to maintain a workplace free of harassment and sensitive to the diversity of its employees. Therefore, the HACG prohibits the use of computers and the e-mail system in ways that are disruptive, illegal, offensive to others or harmful to morale, or that violates the Harassment policy.

For example, the display or transmission of sexually explicit images, messages and cartoons is not allowed. Other such misuse includes, but is not limited to, ethnic slurs, racial comments, off-color jokes or anything which may be construed as harassment or showing disrespect for others. E-mail may not be used to solicit others for commercial ventures, religious or political causes, outside organizations or other non-business matters.

The HACG purchases and licenses the use of various computer software for business purposes and does not own the copyright to this software or its related documentation. Unless authorized by the software developer, the HACG does not have the right to reproduce such software for use on more than one computer. Employees may only use software on local area networks or on multiple machines according to the software license agreement. The HACG prohibits the illegal duplication of software and its related documentation. Employees should notify their immediate supervisor, the Executive Director or any member of management upon learning of violations of this policy. Employees who violate this policy, will be subject to disciplinary action, up to and including termination of employment.

HACG monitors the use of computers, e-mail, and the Internet. Computers and e-mail are the property of HACG, and HACG reserves the right to review, audit, intercept, and access all use of computers and other electronic systems and devices and messages created, received, stored on, or sent over the Internet or e-mail system for any purpose at any time without notification to, or permission from, any employee or user. In order to avoid computer viruses and other computer related problems, software loaded onto a HACG computer must be approved, installed, and tested by a designee of HACG before use. Employees have no expectation of privacy in their use of HACG computers, email, Internet access, or other electronic devices provided or owned by HACG. By signing the acknowledgement of this Personnel Policy, employees agree they have no reasonable expectation of privacy in the use of HACG's computers, e-mail system or accounts, or other electronic systems or devices, including access to the Internet, and expressly consent to the review, auditing, storage, and monitoring of those computers, e-mail systems and accounts, and other electronic systems or devices.

C. **Internet Usage: Disclaimer of Liability for Use of the Internet**

The HACG is not responsible for material viewed or downloaded by users from the Internet. The Internet is a worldwide network of computers containing millions of pages of information. Users are cautioned that many of these pages contain offensive, sexually explicit, and inappropriate material. Users accessing the Internet do so at their own risk, and discipline, up to and including termination of employment, may result from use of the Internet that violates this or any other HACG policy, including, but not limited to, the Harassment policy.

Internet access to global electronic information resources on the World Wide Web is provided by the HACG to assist employees in obtaining work-related data and technology. The following guidelines have been established to help ensure responsible and productive Internet usage. All Internet usage is limited to job-related activities. Excessive personal use of the Internet is not permitted. All data that is composed, transmitted, or received via our computer communications systems is considered to be part of the official records of the HACG and, as such, is subject to disclosure to law enforcement or other third-parties. Consequently,

employees should always ensure that the business information contained in e-mail messages and other transmissions is accurate, appropriate, ethical and lawful. Data that is composed, transmitted, accessed or received via the Internet must not contain content that could be considered discriminatory, offensive, obscene, threatening, harassing, intimidating or disruptive to any employee or other person. Examples of unacceptable content may include, but are not limited to, sexual comments or images, racial slurs, gender-specific comments, or any other comments or images that could reasonably offend someone on the basis of race, age, sex, religious or political beliefs, national origin, disability, sexual orientation, veteran or other military status, or any other characteristic protected by law.

Abuse of the Internet access provided by the HACG in violation of law or the HACG policies will result in disciplinary action, up to and including termination of employment. The following behaviors are examples of previously stated or additional actions and activities which are prohibited and can result in disciplinary action:

- Sending or posting discriminatory, harassing or threatening messages or images.
- Using the organization's time and resources for personal gain.
- Stealing, using or disclosing someone else's code or password without authorization.
- Copying, pirating or downloading software and electronic files without permission.
- Sending or posting confidential material, trade secrets or proprietary information outside of the organization.
- Violating copyright law.
- Engaging in unauthorized transactions which may incur a cost to the organization or initiate unwanted Internet services and transmissions.
- Sending or posting messages or material which could damage the organization's image or reputation.
- Participating in the viewing or exchange of pornography or obscene materials.
- Sending or posting messages that defame or slander other individuals.
- Attempting to break into the computer system of another organization or person.
- Refusing to cooperate with a security investigation.
- Using the Internet for political causes or activities, religious activities or any sort of gambling.
- Jeopardizing the security of the organization's electronic communications systems.
- Passing off personal views as representing those of the organization.
- Sending anonymous e-mail messages.
- Engaging in any other illegal activities.
- Deliberately performing acts that waste or monopolize computer resources including using the Internet for personal use, playing games, or downloading non-business related materials.

D. **Use of Social Media**

Participation in Online Forums/Blogging/Social Media: Employees are not permitted to participate in online forums (including, but not limited to, Facebook, MySpace, and Twitter) or blogging during work time, and may not use HACG's computers, PDAs, cell phones, or other electronic devices to engage in such activities at any time, unless authorized by HACG. This includes all social media, such as blogs, Twitter, Facebook, MySpace, and similar websites or software. Any such communication or use that violates this or any other HACG policy, including the harassment policy, can lead to discipline, up to and including termination. There is no expectation of privacy about what any employee posts or communicates on a public space. Also, employees are not authorized to speak on behalf of HACG in any blog or online forum. Therefore, employees should identify themselves when discussing HACG and should include the following disclaimer in all of their postings to public forums:

“The views, opinions, and judgments expressed in this message are solely those of the author. The message contents have not been reviewed or approved by HACG.”

Employees should note that, even with a disclaimer, a connection with HACG exists, and a statement could be imputed to HACG. Therefore, employees should not rely on disclaimers as a way of insulating HACG from the comments and opinions they contribute to forums. Communications must not reveal information about HACG's processes, techniques, trade secrets, or confidential information.

SECTION XVI. HARASSMENT

HACG prohibits harassment on the basis of age, race, sex, color, religion, disability, national origin, marital status, military or veteran status, or political affiliation. Employees must maintain working relationships based upon mutual respect and free from intimidation. Harassment, even in mild form, constitutes unsatisfactory job performance and failure in personal conduct, and is subject to appropriate disciplinary action up to and including dismissal.

The HACG interprets harassment in accordance with Title VII of the Civil Rights Act. Harassment is behavior based on age, race, sex, color, religion, disability, national origin, marital status, military or veteran status, or political affiliation which offends another employee.

Sexual harassment is further defined as unsolicited and unwelcomed advances, requests, or verbal or physical conduct of a sexual nature in which (a) submission is an explicit or implicit condition of employment; (b) submission or rejection is the basis of an employment decision; and/or (c) the conduct has unreasonably interfered with an affected person's work performance or created an intimidating, hostile or offensive work environment.

Sexual harassment can include, but is not limited to, improper sexual touching, requests for sexual favors, offensive and vulgar cartoons, sexually derogatory language, vulgar graffiti, sexually explicit and sexually based jokes and sexually offensive written materials (e.g., pornographic magazines, articles or photographs).

An employee who believes that he/she has been harassed shall report the behavior to the immediate non-involved supervisor, department head, or Executive Director. Employees are never required to report harassment to the harasser. The grievance procedure as outlined in Section XII of this policy may be used in lieu of this complaint/investigation procedure. It is the responsibility of the supervisor/management personnel receiving the complaint to promptly and thoroughly investigate the matter. Upon completion of the investigation, the HACG shall take such action as is warranted by the results of the investigation. Both parties (complainant and the offender) shall be informed of the results of the investigation and of the nature of the disciplinary action. Either party may appeal the decision in accordance with the grievance procedure outlined in Section XII.

No employee who reports harassment or participates in the investigation of a report of harassment will be retaliated against. Any retaliation should be reported immediately. Retaliation is a serious violation of the reporting policy and may lead to discipline up to and including termination.

SECTION XVII. WORKPLACE VIOLENCE PREVENTION

HACG is committed to preventing workplace violence and to maintaining a safe work environment. Given the increasing violence in society in general, the HACG has adopted the following guidelines to deal with intimidation, harassment, or other threats of (or actual) violence that may occur during business hours or on its premises. All employees, including supervisors and temporary employees, should be treated with courtesy and respect at all times. Employees are expected to refrain from fighting, “horseplay” or other conduct which may be dangerous to others.

Firearms, weapons, and other dangerous or hazardous devices or substances are prohibited from the premises of the HACG without proper authorization. Conduct that threatens, intimidates, or coerces another employee, a customer, or a member of the public at any time, including off-duty periods, will not be tolerated. This prohibition includes all acts of harassment, including harassment that is based on an individual’s sex, race, age, or any characteristic protected by federal, state, or local law. All threats of (or actual) violence, both direct and indirect, should be reported as soon as possible to your immediate supervisor or any other member of management. This includes threats by employees, as well as threats by customers, vendors, solicitors or other members of the public.

Threats or assaults that require immediate attention by the police should be reported first by calling 911.

When reporting a threat of violence, you should be as specific and detailed as possible. All suspicious individuals or activities should also be reported as soon as possible to a

supervisor. Do not place yourself in peril. If you see or hear a commotion or disturbance near your workstation, do not try to intercede or see what is happening. The HACG will promptly and thoroughly investigate all reports of threats of (or actual) violence and of suspicious individuals or activities. The identity of the individual making a report will be protected as much as is practical. Anyone determined to be responsible for threats of (or actual) violence or other conduct that is in violation of these guidelines will be subject to prompt disciplinary action up to and including termination of employment. The HACG encourages employees to bring their disputes or differences with other employees to the attention of their supervisors or the Executive Director before the situation escalates into potential violence. The HACG is eager to assist in the resolution of employee disputes and will not discipline employees for raising such legitimate concerns.

SECTION XVIII. VISITORS IN THE WORKPLACE

To provide for the safety and security of employees and the facilities at the HACG, only authorized visitors are allowed in the workplace. Restricting unauthorized visitors helps maintain safety standards, protects against theft, ensures security of equipment, protects confidential information, safeguards employee welfare and avoids potential distractions and disturbances.

Because of safety and security reasons, family and friends of employees are discouraged from visiting. In cases of emergency, employees will be called to meet any visitor outside their work area. All visitors should enter the HACG at the main entrance. Authorized visitors will receive directions or be escorted to their destination. Employees are responsible for the conduct and safety of their visitors. If an unauthorized individual is observed on the HACG's premises, employees should immediately notify their supervisor or, if necessary, direct the individual to the main entrance.

SECTION XIX. EMPLOYEE CONDUCT AND PERSONAL APPEARANCE

- A. **Personal Appearance:** Dress, grooming and personal cleanliness standards contribute to the morale of all employees and affect the business image the HACG presents to residents and visitors. During business hours or when representing the HACG, you are expected to present a clean, neat and tasteful appearance. You should dress and groom yourself according to the requirements of your position and accepted social standards.

A reasonable dress code has been implemented. Your supervisor or department head is responsible for administering the dress code which is appropriate to the job you perform. If your supervisor feels your personal appearance is in violation of the dress code, you may be asked to leave the workplace until you are properly dressed or groomed. Under such circumstance, you will not be compensated for the time away from work. Consult with your supervisor if you have questions as to the dress code. Where necessary, reasonable accommodation may be made to a person with a disability.

- B. **Contacts with Media:** Events involving the HACG properties or operations sometimes attract the attention of the news media, including newspapers, television and radio news operations. **If you are contacted or approached by representatives of the news media, please do not make any statements or comments.** During business hours, please ask news media representatives to call the Executive Director at the Central Office. Depending on the nature of the inquiry and the availability of the Executive Director, the inquiry can be directed to an individual designated by the Executive Director. **After business hours,** please contact the Executive Director. News media contacts will be handled by the Executive Director. If you observe any members of the news media (camera crews, reporters, etc.) at the HACG properties, please contact your supervisor, Department Director, or Executive Director as soon as possible. Please identify the channel or station name and the name of the reporter if possible. Following these procedures will help the Agency avoid releasing information which is protected by data privacy laws or HACG policies. It will also allow the HACG to prepare responses to questions which may be raised by the news media. In that way, we can help the media provide complete, balanced news reports and accurate accounts of the HACG events and issues.
- C. **Security Inspections:** The HACG wishes to maintain a work environment that is free of illegal drugs, alcohol, firearms, explosives or other improper materials. To this end, the HACG prohibits the possession, transfer, sale or use of such materials on its premises. The HACG requires the cooperation of all employees in administering this policy. Desks, lockers, and other storage devices may be provided for the convenience of employees but remain the sole property of the HACG, and are subject to search at any time without notice. Employees have no expectation of privacy in these areas.
- D. **Suggestion Program:** As employees of the HACG, you have the opportunity to contribute to our future success and growth by submitting suggestions for practical work-improvement or cost-saving ideas. All regular employees are eligible to participate in the suggestion program. A suggestion is an idea that will benefit HACG by solving a problem, reducing costs, improving operations or procedures, enhancing customer service, eliminating waste or spoilage, or making the HACG a better or safer place to work. Statements of problems without accompanying solutions, or recommendations concerning co-workers and management are inappropriate suggestions. All suggestions should contain a description of the problem or condition to be improved, a detailed explanation of the solution or improvement, and the reasons why it should be implemented. If you have questions or need advice about your idea, contact your supervisor for help. Submit suggestions to the Executive Director and, after review, you will be notified of the adoption or rejection of your suggestion. Special acknowledgement will be given to employees, who submit a suggestion that is implemented.
- E. **Administration of Cash, Checks and Receipts:** Administration of Cash, Checks and Receipts shall be documented. Employee pay checks and personal

checks shall not be cashed by using HACG funds at any office or other location. No employee shall engage in personal funding or payment of any applicant or residents deposit, rent or charges. Violation of the aforementioned policy may result in immediate dismissal of the employee.

SECTION XX. SUBSTANCE ABUSE POLICY

A. Drug-Free Workplace Act of 1988

The HACG certifies that it will adhere to the requirements of the Drug-Free Workplace Act.

1. The HACG has incorporated into its personnel policy a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited on HACG premises including buildings, grounds, and vehicles and has specified the actions that will be taken against employees for such prohibition.
2. The HACG has established a drug-free awareness program to inform employees about:
 - a. The dangers of drug abuse in the workplace;
 - b. The HACG's policy of maintaining a drug-free workplace;
 - c. Available drug counseling, rehabilitation, and employee assistance programs; and
 - d. The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.
3. The HACG has made it a requirement that each employee be given a copy of the statement required in paragraph (1).
4. Employees of HACG in the statement required in paragraph (1) are informed that as a condition of employment the employee will:
 - a. Abide by the terms of the statement; and
 - b. Notify the HACG of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) days after such conviction.
5. The HACG is to notify the HUD Field Office within ten (10) days after receiving notice under subparagraph (4) (b) from an employee or otherwise receiving actual notice of such conviction;

6. The HACG will take one or both of the following actions within 30 days of receiving notice under subparagraph (4) (b), with respect to any employee who is so convicted:
 - a. The HACG will take appropriate personnel action, as described in the personnel policy, against any such employee, up to and including termination; and, or
 - b. The employee will be required to participate satisfactorily in a drug abuse assistance or rehabilitation program, approved for such purposes by a Federal, State, or Local health, law enforcement, or other appropriate agency;
7. The HACG will use all resources at its command in a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (1), (2), (3), (4), (5) and (6).

B. **Compliance with Drug Free Workplace Act of 1988 and HUD 50070 Addendum to Policy:** Employees are prohibited from the use, sale, dispensing, distribution, possession, and manufacture of illegal drugs, and the unauthorized use of alcoholic beverages on the HACG's premises or work sites or during work hours. While on the HACG premises and while conducting business-related activities off the HACG premises, no employee may use, possess, distribute, sell or be under the influence of alcohol or illegal drugs (as defined in Section of 102 of the Controlled Substance Action, 21 U.S.C. 802).

1. Each applicant, as a condition of employment, will be required to sign the "Acknowledgement of Substance Abuse and Drug/Alcohol Testing Policy."
2. Employees will be subject to disciplinary action, up to and/or including termination, for violation of this policy. Such violations include, but are not limited to, unauthorized use, possession or distribution of alcohol; being under the influence of drugs or alcohol while working; or possessing, distributing, or illegally manufacturing or selling drugs on the HACG's premises and work sites.
3. For purposes of this policy an employee or applicant is presumed to be under the influence of drugs if he/she tests positive for such substance (ex: alcohol level must be $>.04$). Being "under the influence" may also be determined by physical signs of drug or alcohol use, such as slurred speech, glassy eyes, unusual motor functions, smell of drugs or alcohol or other observable indicators of drug and alcohol use.
4. Employees who are believed to be under the influence of drugs, narcotics, or alcohol at work will be required to leave the premises and will be required to submit to a drug test.

5. Any employee who uses over the counter or prescription drugs and has any reason to expect such use may affect his/her ability to safely perform their work must report this fact to his/her supervisor. A determination will then be made as to whether the employee can perform the essential functions of the job safely and properly. Information about the medication or the condition requiring the medication need not be divulged unless it is needed to assess possible accommodations or the employee's ability to perform his/her job.
 6. Employees who are convicted of any criminal drug violation occurring in the workplace must report such conviction to their supervisor within five (5) days.
 7. Within thirty (30) days after an employee notifies the HACG of a conviction for violating a criminal drug statute in the workplace, the Executive Director will determine the appropriate personnel action, up to and including termination of employment with HACG. This action may also require satisfactory participation in a drug abuse assistance or rehabilitation program. The decision to sanction or terminate the convicted employee remains within the discretion of the Executive Director. Within ten (10) days after receiving actual notice of an employee's conviction for violating a criminal drug statute in the workplace, the HACG will report said conviction to the U.S. Department of Housing and Urban Development.
- C. **Testing:** All drug tests will be performed by a lab which is certified by the U.S. Department of Health and Human Resources ("HHS") or the College of American Pathology ("CAP") and meets applicable state requirements. "Drug test" means a urine screen for indications of drug use.
1. **Pre-employment Testing:** As a condition of employment, all applicants are required to consent to testing prior to the commencement of work for the use of drugs in accordance with this policy, including amendments or additions as they may be adopted by the HACG.
 2. **Post-Accident Testing:** An employee who is involved in or may have caused an incident which results in a fatality, an injury to an employee, co-worker, or other individual requiring medical attention, or damage to a vehicle or other property is required to submit to a drug and/or alcohol test within two hours of the incident.
 3. **Reasonable Cause Testing:** An employee may be asked to submit to a drug and/or alcohol test when there is a reasonable basis to believe that an employee is under the influence of alcohol or illegal drugs at work or on HACG property, based upon the impaired appearance of the employee, behavior, speech or body movements indicative of alcohol use or illegal drug use, or suspicious appearances at a work site or in a part of a work

site. Employees may also be tested if there are reliable indicators of drug or alcohol use in violation of this policy, including the report of an individual known to HACG who reports admission of, or observation of drug or alcohol use in violation of this policy by an employee.

Employees who are asked to take a reasonable cause test will not be allowed to continue working. The individual to be tested will be sent to a professional testing facility as soon as possible. In the event any such employee refuses to be tested, he/she will be immediately removed from HACG premises and sent home. Reasonable effort will be made to secure safe passage home via relative, cab, escort, etc.

A request for a reasonable cause test may be based upon any facts which suggest drug or alcohol use in violation of this policy, including but not limited to the following: (1) Observable phenomena, such as direct observation of alcohol or drug use or possession and/or the physical symptoms of being under the influence of alcohol or illegal drugs; (2) A pattern of abnormal conduct or erratic behavior, which suggests alcohol/drug abuse or use of alcohol or illegal drugs on the job; (3) Arrest or conviction for a drug-related offense, or the identification of an employee as the focus of a criminal investigation into illegal drug possession, use or trafficking (the term “trafficking” shall also mean “distribution”); (4) Newly discovered evidence that the employee tampered with a previous drug or alcohol test

4. **Right to Test and/or Re-Test:** If the results of any drug test are positive, the individual may, at his/her own expense, have a second test performed on a portion of the sample which yielded the positive result. The second test must be conducted at a lab which is certified by HHS or CAP and meets applicable state requirements. HACG reserves complete discretion to decide whether the results of the second test should be relied upon rather than the first test in determining whether employment will be offered in regards to an applicant. Individuals requesting a re-test must notify the laboratory and HACG, in writing.
5. **Medical Review Officer:** HACG will retain the services of a physician to serve as the Medical Review Officer (MRO). The MRO will review the results of all positive drug tests and will contact any individual whose test is positive to discuss the test result and determine its validity. Any individual who receives a message to call the MRO must do so within two (2) business days. The MRO will not disclose to the HACG any information about lawful use of legal non-prescription substances or lawful use of prescription drugs.

6. **Testing Consequences:**

- a. A positive drug test creates an automatic presumption that the individual was under the influence of drugs during work hours in violation of this policy, and will result in withdrawal of all offers of employment in regards to an applicant and may result in termination in regards to an employee.
- b. Failure to contact the MRO within two (2) days after receiving a message to do so is grounds for withdrawal of all conditional job offers in regards to an applicant and termination of employment in regards to an employee.
- c. Refusing to take a drug test or interfering or tampering with a test is grounds for withdrawal of any offer of employment in regards to an applicant and termination of employment in regards to an employee.

SECTION XXI. TRAVEL

All travel by HACG employees to a destination outside the jurisdiction of the HACG, made in connection with the performance of their duties, shall be authorized in advance by the Executive Director. Reasonable travel expenses incurred by HACG employees and Commissioners authorized to travel on official business shall be paid by the HACG. All expenses shall be supported by proper supporting documentation. Documentation of expenses incurred by HACG employees shall be approved, in writing, by the Executive Director. Documentation of expenses by the Executive Director or Commissioners shall be approved, in writing, by the Chairman of the Board or the Vice Chairman in his/her absence. All such documentation shall be submitted within 10 days of completion of travel.

Travel expenses considered reimbursable consist of transportation costs (such as taxi, car rentals, tolls, parking fees, mileage costs, standard class/coach airline tickets or other common carrier), official communications, registration fees, and only for travel that requires an overnight stay, the cost of lodging, the reasonable cost of meals not to exceed limits as established by the Executive Director, and a reasonable amount for incidental expenses such as tips. Alcoholic beverages are ineligible for reimbursement.

Employees are expected to keep a log or diary to record expense information while traveling on official business. To receive a reimbursement for travel expenses, the employee must complete an expense reimbursement request that sets forth the logged dates of travel, times of departure and return, place(s) travelled, business purpose, and business mileage (if applicable).

- A. **Transportation Expenses:** HACG vehicles shall be used for travel for official business when available, practical, and approved by the Executive Director, expenses for which shall be paid by the HACG. When a HACG vehicle is not available, employees and Commissioners shall be reimbursed for use of the

individual's personal vehicle at the current approved Internal Revenue Service (IRS) rate for mileage in accordance with IRS regulations. If two or more persons travel in the same vehicle, only one person shall be reimbursed for mileage. If transportation is available from the HACG and the employee or Commissioner chooses to use his/her own vehicle, the individual will not be reimbursed for mileage.

HACG will reimburse expenses for other forms of transportation (such as eligible airfare, taxi fare, car rental, and rail fare) and lodging based upon the actual amount incurred. To receive reimbursement for such transportation and lodging expenses, the employee must submit, in addition to the reimbursement request, an itemized receipt that states the amount, date, place, and service or item purchased. The HACG may reimburse an employee for expenses less than \$75 without a receipt if the employee submits his/her travel log that establishes the amount, date, place, and service or item purchased to the HACG's satisfaction.

- B. **Meals and Incidental Expenses:** Employees will receive reimbursement for meals and incidental expenses only if they are incurred during travel that requires an overnight stay. Meals and incidental expenses related to such travel will be reimbursed at the federal per diem rate published for the place of travel. An employee who departs on overnight travel the employee will receive 75% of the per diem rate for the employee's departure and return dates, and 100% of the per diem rate for each day in between such departure and return dates.
- C. **Advances:** Monetary advances in anticipation of out-of-pocket travel expenses may be authorized by the Executive Director. Amounts will be advanced no more than 30 days prior to the scheduled travel. Within 10 days of return, the employee must submit a travel expense log that sets forth the dates, times of departure and return, place(s) travelled, business purpose, and business mileage (if applicable). Amounts advanced in excess of the amount substantiated by the employee's travel log shall be promptly refunded to the HACG within ten (10) working days of return or, if later, of the HACG's request after review of the employee's travel log. If the employee does not refund unsupported amounts to the HACG, the employee shall be subject to discipline in accordance with the HACG's policies.

Generally, reimbursements for travel expenses will not be reported as additional wages to the employee; except that if an employee receives an advance but does not refund the unsupported portion of the advance to the HACG, then the unsupported amount will be reported as additional wages to the employee.

Travel expenses may be paid for employment interviews as incurred by applicants for permanent professional and supervisory positions. Reimbursement shall not exceed that provided to regular employees in the HACG's travel procedures and must be approved in advance by the Executive Director.

Moving expenses including the actual cost of the physical move of household goods, personal effects, and immediate family members may be paid to new employees for

permanent professional and supervisory positions. Each case must be authorized in advance by the Executive Director or the Board of Commissioners in the case of the Executive Director's employment.

SECTION XXII. CONFLICTING POLICIES

- A. **Policies Repealed:** All policies and resolutions which conflict with the provisions of this Resolution are hereby repealed.
- B. **Employees affected by these Policies:** This policy shall apply to current employees in affected positions upon 30 days notice. This policy shall apply without exception to new hires and transfers as of the date of implementation.

SECTION XXIII. SEPARABILITY

If any provision of this policy or any rule, regulation, or order thereunder of the application of such provision to any person or circumstances is held invalid, the remainder of this Resolution and the application of such remaining provisions of this Resolution of such rules, regulations, or orders to persons or circumstances other than those invalid will not be affected thereby.

SECTION XXIV. EFFECTIVE AND ADOPTED DATE

This resolution shall become effective as of October 1, 2012.

ADOPTED this the 24th day of September, 2012.

Resolution #1213 Adopted September 24, 2012.